

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-7845**

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WENDELL KIRK DEAN,

Petitioner - Appellant,

versus

F. C. SIZER, JR., Warden; ATTORNEY GENERAL OF  
THE STATE OF MARYLAND,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. William M. Nickerson, District Judge.  
(CA-98-2467-WMN)

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Submitted: April 15, 1999

Decided: April 19, 1999

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Before NIEMEYER and HAMILTON, Circuit Judges, and PHILLIPS, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Wendell Kirk Dean, Appellant Pro Se. John Joseph Curran, Jr.,  
Attorney General, Ann Norman Bosse, OFFICE OF THE ATTORNEY GENERAL  
OF MARYLAND, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Wendell Kirk Dean seeks to appeal the district court's order denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 1998). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Dean v. Sizer, No. CA-98-2467-WMN (D. Md. Dec. 9, 1998).\* We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED

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\* Although the district court's order is marked as "filed" on December 7, 1998, the district court's records show it was entered on the docket sheet on December 9, 1998. Pursuant to Fed. R. Civ. P. 58 and 79(a), we consider this date as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).